

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

PAULA ZELESNIK,

Case No. 1:18CV2459

Plaintiff,

OPINION & ORDER

-vs-

JUDGE JAMES S. GWIN

GREAT AMERICAN INSURANCE, et al.,

Defendants.

*Pro se* Plaintiff Paula Zelesnik filed this civil action against multiple Defendants, including Great American Insurance, Frost Brown & Todd, GE CEO Jeff Immelt, Vineyard Cincinnati, and Dave Worman.<sup>1</sup> Plaintiff moves to proceed *in forma pauperis*<sup>2</sup>; that motion is granted. For the following reasons, this case is dismissed.

*Pro se* pleadings are held to “less stringent standards than formal pleadings drafted by lawyers” and must be liberally construed.<sup>3</sup> Nevertheless, district courts are required to screen all *in forma pauperis* actions and dismiss before service any action the court determines is frivolous or

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<sup>1</sup> (Doc. 1.)

<sup>2</sup> (Doc. 2.)

<sup>3</sup> [\*Haines v. Kerner\*, 404 U.S. 519, 520 \(1972\)](#) (per curiam).

malicious, fails to state a claim on which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief.<sup>4</sup>

In order to state a claim for relief, a complaint must set forth “sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.”<sup>5</sup> The “allegations must be enough to raise a right to relief above the speculative level . . . .”<sup>6</sup> And they must be sufficient to give defendants “fair notice of what [the plaintiff’s] claims are and the grounds upon which they rest.”<sup>7</sup>

Plaintiff’s complaint must be dismissed as it asserts no plausible claim for relief. It consists only of a list of Defendants; an allegation of “rape and attempted murder Nov 2009”; and an ambiguous and confusing request for relief.<sup>8</sup> It does not contain any direct or inferential allegations that would support a claim for relief against Defendants under any viable legal theory.<sup>9</sup> Even liberally construed, the complaint does not give Defendants “fair notice” of the grounds upon which Plaintiff seeks relief.<sup>10</sup> The complaint, therefore, fails to state a claim upon which relief can be granted and is dismissed pursuant to [28 U.S.C. §§ 1915\(e\)\(2\)\(B\)](#).

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<sup>4</sup> [28 U.S.C. § 1915\(e\)\(2\)\(B\)](#); *see also* [Hill v. Lappin](#), 630 F.3d 468, 470-71 (6th Cir. 2010).

<sup>5</sup> *Id.* at 471 (applying the dismissal standard articulated in [Ashcroft v. Iqbal](#), 556 U.S. 662 (2009), and [Bell Atl. Corp. v. Twombly](#), 550 U.S. 544 (2007), to dismissals for failure to state a claim under [§ 1915\(e\)\(2\)\(B\)](#)).

<sup>6</sup> [Twombly](#), 550 U.S. at 555.

<sup>7</sup> [Swierkiewicz v. Sorema N.A.](#), 534 U.S. 506, 514 (2002).

<sup>8</sup> (See Doc. 1.)

<sup>9</sup> [See Scheid Fanny Farmer Candy Shops, Inc.](#), 859 F.2d 434, 437 (6th Cir. 1988).

<sup>10</sup> [Twombly](#), 550 U.S. at 545.

Furthermore, the Court notes that Plaintiff recently has filed several *in forma pauperis* actions in this district, including one before this Court, that have been dismissed for failure to state plausible claims.<sup>11</sup> Indeed, on November 2, 2018, another judge in this Court ruled that because Plaintiff has abused the privilege of proceeding as a pauper by repeatedly filing meritless lawsuits, she no longer will be permitted to file civil litigation in the Northern District of Ohio without paying the full filing fee.<sup>12</sup>

Accordingly, Plaintiff's complaint is dismissed under [28 U.S.C. §§ 1915\(e\)\(2\)\(B\)](#) for failure to state a claim upon which relief may be granted. This Court certifies, pursuant to [28 U.S.C. § 1915\(a\)\(3\)](#), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

December 3, 2018

s/ James S. Gwin  
JAMES S. GWIN  
U.S. DISTRICT JUDGE

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<sup>11</sup> See, e.g., *Zelesnik, et al. v. General Motors, et al.*, Case No. 1:18CV2165 (Gwin, J.); *Zelesnik, et al. v. Magnificat HS, et al.*, Case No. 1:18CV2188 (Boyko, J.); *Zelesnik v. Laverty, et al.*, Case No. 1:18 CV 2360 (Polster, J.); *Zelesnik, et al. v. GE Healthcare, et al.*, Case No. 1:18CV2443 (Boyko, J.); and *Zelesnik v. Ohio, et al.*, Case No. 1:18 CV2471 (Polster, J.).

<sup>12</sup> *Zelesnik v. Ohio, et al.*, Case No. 1:18CV2471, Doc. 3 (Polster, J.).